

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

November 21, 2005

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Vogel (Miriam A.), J., Mallano, J., Rothschild, J. and S. Stahl,
Deputy Clerk.

Each of the following:

B173772	People v. Thompson
B174475	People v. Lopez & Lozano
B177163	People v. Blanca A.
B177382	People v. Muhammad
B177837	People v. Pentecost
B178042	People v. Chui
B178167	People v. Cunningham
B178317	Tsang v. Unemployment Ins. Appeals Board
B179068	People v. Gregory M.
B179604	People v. Gatica
B180028	People v. Engram
B180146	People v. Nadaniel T.
B180728	People v. Quinonez
B182888	DCFS v. Ana R.
B182980	DCFS v. Elizabeth G.
B183234	DCFS v. Rudy G.
B185561	Rachel R. v. SCLA, DCFS

Argument waived, cause submitted.

Rothschild, J., leaves the bench.

DIVISION ONE (Continued)

B180560 Ivone et al.
 v.
 Amoroso et al.

Merits:
Argued by John M. Gerro for appellants, Respondent waived argument.
Cause submitted.

B175978 People
 v.
 Brown

Merits:
Argued by Viet H. Nguyen, Deputy Attorney General, for respondent.
Appellant waived argument. Cause submitted.

B176725 English
 v.
 McKenna, M.D. et al.

Merits:
Argued by Suzanne De Rosa for respondent McKenna, M.D., by Christy Gargalis for respondent Cowen, M.D., by Robert C. Powers for respondent Sherman Oaks Hospital and by Jens B. Koepke for respondent Cedars-Sinai Medical Center. Appellant waived argument. Cause submitted.

B183789 Kane et al.
 v.
 Superior Court, Los Angeles County
 (Inclan et al., r.p.i.)

Merits:
Argued by Sean Cowdrey for petitioners and by Russell S. Balisok for real party in interest Inclan. Real party in interest Covenant Care waived argument. Cause submitted.

Rothschild, J., returns to the bench.

November 21, 2005 (Continued)

DIVISION ONE (Continued)

Mallano, J., leaves the bench.

B173711 Darjee
v.
Laboratory Corporation of America

Merits:

Argued by Paul W. Cane, Jr. for appellant Laboratory Corporation, and by Norman Pine for appellant Darjee. Cause submitted.

B175822 Amwest Surety Insurance Co.
v.
Patriot Homes, Inc. et al.

Merits:

Argued by Robert C. Niesley for appellant and by James Pazos for respondents. Cause submitted.

B177064 People
v.
Fuller, Jr.

Argument waived, submission deferred for 30 days.

Court adjourned.

B184072 People (Not for Publication)
v.
Damon K. Griffith

The judgment is affirmed.

Spencer, P.J.

We concur: Mallano, J.
 Rothschild, J.

November 21, 2005 (Continued)

DIVISION ONE (Continued)

B175346 People (Not for Publication)

V.
John W. Poe

The judgment is affirmed.

Spencer, P.J.

We concur: Mallano, J.
 Rothschild, J.

B180560 Ivone et al. (Not for Publication)

v.
Amoroso et al.

The judgment is affirmed.

Mallano, J.

I concur: Spencer, P.J.
I concur in judgment only: Vogel (Miriam A.), J.

B180146 People (Not for Publication)

v.
Nadaniel T.

The order under review is affirmed.

Mallano, J.

I concur: Spencer, P.J.
I concur in judgment only: Vogel (Miriam A.), J.

November 21, 2005 (Continued)

DIVISION ONE (Continued)

B178317 Tsang (Not for Publication)
v.
Unemployment Insurance Appeals Board

The judgment is affirmed.

Mallano, J.

I concur: Spencer, P.J.
I concur in judgment only: Vogel (Miriam A.), J.

[illegible]

The order under review is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Rothschild, J.

DIVISION THREE

B176121 People (Not for Publication)
v.
Rofeh

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B179532 People v. Brown (Not for Publication)

The order lifting the suspension of execution of the previously imposed sentence of appellant to three years in prison is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B166427 People (Not for Publication)
v.
Moore et al.

The judgments of conviction are affirmed. Moore's and Robinson's sentences are modified by ordering the sentences on counts 2 and 3 stayed. Moore's sentence is further modified by ordering the gun use enhancements as to counts 2 and 3 be stricken, and by ordering that the section 667 enhancement be stricken from the sentences imposed on counts 2 through 4. All of the sentences are otherwise affirmed.

Hastings, J.

We concur: Epstein, P.J.
Curry, J.

November 21, 2005 (Continued)

DIVISION FOUR (Continued)

B178293 People (Not for Publication)
v.
Peavy

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Curry, J.

DIVISION FIVE

B179834 People (Not for Publication)
v.
Hilda Medina et al

The judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
Mosk, J.

B182242 Kenneth Tab (Not for Publication)
v.
Farideh Zandi

The judgment is affirmed. Respondent(s) to recover costs.

Kriegler, J.

I concur: Turner, P.J.
I dissent: Mosk, J. (Opinion)

DIVISION SEVEN

B179613 Imaging Services, Inc. (Not for Publication)
v.
Tower Engineering

The judgment is affirmed. Tower is entitled to its costs of appeal. To the extent Imaging Services has attempted to appeal from the judgment of dismissal as to Albert's Electric, the appeal is dismissed.

Woods, J.

We concur: Perluss, P.J.
 Zelon, J.

B176985 Paykar Construction Co. (Not for Publication)
v.
Casa Eva Homeowners Assn.

The order is affirmed. Respondents are entitled to their costs on appeal.

Woods, J.

We concur: Perluss, P.J.
 Zelon, J.

DIVISION EIGHT

B180204 People (Not for Publication)
v.
Ranger Insurance Company

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Flier, J.

DIVISION EIGHT (Continued)

B182827 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Gloria V.,

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Flier, J.

B179581 People (Not for Publication)
 v.
 Armstrong

The judgment is modified to reflect defendant is to receive 668 days of
presentence custody credit. In all other respects, the judgment is affirmed.

Rubin, Acting P.J.

We concur: Boland, J.
 Flier, J.

B174497 In re Ian A., (Not for Publication)
 People
 v.
 Ian A.

The order of the juvenile court is affirmed.

Cooper, P.J.

We concur: Rubin, J.
 Boland, J.

November 21, 2005 (Continued)

DIVISION EIGHT (Continued)

B175188 Bakhtiari, (Not for Publication)
v.
State Of California

The judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.
 Flier, J.

B181336 Los Angeles County, D.C.S. (Not for Publication)
v.
Jarvette B.,

The order terminating parental rights is affirmed.

Cooper, P.J.

We concur: Rubin, J.
Flier, J.